

CITY OF BREMEN

SEWER USE ORDINANCE
WITH AMENDMENTS

The Mayor and Council of the City of Bremen do here by amend the City of Bremen Sewer Use Ordinance to include section 94-206; Fines and surcharges for violations of the City's Sewer Use Ordinance. The following is a listing of the fines and surcharges to be levied.

pH Violation - A fine not to exceed \$500.00 (Five Hundred Dollars) per incident.

Flow Violation - A fine not to exceed \$500.00 per incident, plus a surcharge of \$25.00 (Twenty Five Dollars) per 1,000 (One Thousand) gallons of flow over maximum the limit.

F.O.G. - A fine not to exceed \$500.00 per incident.

Temperature - A fine not to exceed \$500.00 per incident.

B.O.D. - A fine not to exceed \$500.00 per incident, plus a surcharge of 0.26 (Twenty six cents) per pound of B.O.D. over the maximum limit.


T.S.S. - A fine not to exceed \$500.00 per incident, plus a surcharge of 0.26 per pound of T.S.S. over the maximum limit.


The above and foregoing Ordinance having been read and considered by the Mayor and Council of the City of Bremen, the duly constituted governing body held at the Senior Citizen Center, the duly established meeting place of said body, on this the 13th day of August, 2001, and said Ordinance having been adopted by the full vote of the Council members present at said meeting, the same is hereby approved and declared adopted, and it is ordered that same be spread upon the Minutes of said meeting, and copy of same placed in the Ordinance Book of said City.

This the 13th day of August, 2001.


Mayor

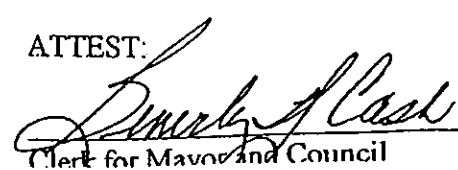

Councilman


Councilman


Councilman


Councilman

ATTEST:


Clerk for Mayor and Council

CITY OF BREMEN SEWER USE ORDINANCE

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ARTICLE 1 SEWER USE ORDINANCE

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and waste into the public sewer system(s) and providing penalties for violations thereof in the City of Bremen, State of Georgia.

Be it ordained and enacted by the City of Bremen as follows:

ARTICLE 2

DEFINITIONS

Unless the context specifically indicated otherwise the meaning of terms used in this ordinance shall be as follows:

- 2.1 "Biochemical oxygen demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under EPA approval laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- 2.2 "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of buildings and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- 2.3 "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection or service connection.
- 2.4 "Customer" shall mean every person who is responsible for contracting (expressly or implicitly) with the (Municipality) in obtaining, having, or using sewer connections with, or sewer tap to, the sewer system of the (Municipality) and in obtaining, having, or using water and other related services furnished by the (Municipality) for the purpose of disposing of wastewater and sewage through said system. Said terms shall include the occupants of each unit of a multiple-family dwelling unit building as a separate and distinct customer.
- 2.5 "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- 2.6 "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A

wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

- 2.7 "Flush toilet" shall mean the common sanitary flush commode in general use for the disposal of human excrement.
- 2.8 "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- 2.9 "Health Officer" shall mean the director of the County Board of Health or other person designated by the Board of Commissioners and their duly appointed assistants.
- 2.10 "Industrial wastes" shall mean the wastewater from industrial processes as distinct from domestic or sanitary wastes.
- 2.11 "Infiltration/Inflow" shall mean groundwater and surface water which leaks into the sewers through cracked pipes, joints, manholes, or other openings.
- 2.12 "Natural outlet" shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake, or other body or surface of groundwater.
- 2.13 "May" is permissive (see "shall," Section 2.26).
- 2.14 "Municipality" shall mean the governmental body having jurisdiction over the maintenance and operations of the water and sanitary sewer system within the City of Bremen and adjacent areas of Haralson County.
- 2.15 "Normal wastewater" shall mean wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids is not more than 350 milligrams per liter (mg/l), BOD₅ is not more than 300 mg/l, total phosphorous is not more than 15mg/l, total Kjeldahl nitrogen is not more than 20 mg/l, and the total flow is not more than 25,000 gallons per day.
- 2.16 "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- 2.17 "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration.
- 2.18 "Pit privy" shall mean shored, vertical pit in the earth completely covered with a flytight slab on which is securely located a flytight riser covered with hinged flytight seat and lid.
- 2.19 "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles

will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

- 2.20 "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- 2.21 "Sanitary sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not intentionally admitted.
- 2.22 "Septic tank" shall mean a subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:
- a. A sewer line constructed with solid pipe, with the joints sealed, connecting the impervious tank with a plumbing stub out; and
 - b. A subsurface system of trenches, piping, and other materials constructed to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.
- 2.23 "Sewage" is the spent water of a community. The equivalent term is "wastewater" (See Section 2.32).
- 2.24 "Sewer" shall mean a pipe or conduit that carries wastewater.
- 2.25 "Sewage works" (sewerage) shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- 2.26 "Shall" is mandatory (See "may," Section 2.13).
- 2.27 "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater facilities.
- 2.28 "Storm drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- 2.29 "Superintendent" shall mean the utilities superintendent or his authorized deputy, agent or representative.

- 2.30 "Suspended solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by Laboratory filtration as approved by EPA and referred to as nonfilterable residue.
- 2.31 "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- 2.32 "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.
- 2.33 "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- 2.34 "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE 3

USE OF PUBLIC SEWERS REQUIRED

- 3.1 All premises shall be provided, by the owner thereof, with at least one (1) toilet. All toilets shall be kept clean and in a sanitary working condition.
- 3.2 No person shall dispose of human excrement except in a toilet.
- 3.3 It shall be unlawful to discharge to any natural outlet within (Municipality), or in any area under the jurisdiction of the (Municipality), any wastewater or other polluted waters, including septic tank effluent or cesspool overflow to any open drain or well-penetrating, water-bearing formation, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- 3.4 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.
- 3.5 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the (Municipality) jurisdiction and abutting on any street, alley, or right-of-way in which there is now

located or may in the future be located a public sanitary sewer of the (Municipality) is hereby required at the owner(s) expense to install suitable toilet facilities herein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within thirty (30) days after date of official notice to do so, provided that said public sewer is within 100 feet of the property line.

3.6 All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines, and similar plumbing fixtures or appliances shall be connected to the public sewer; provided, that where no sewer is available, septic tanks or other private subsurface disposal facilities approved by the health officer may be used.

ARTICLE 4

PRIVATE WASTEWATER DISPOSAL

- 4.1 Where a public sanitary sewer is not available under the provisions of Article 3, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the (Municipality) and the Georgia Department of Human Resources.
- 4.2 Septic tanks shall be constructed, repaired, altered, enlarged and maintained in accordance with plans and specifications approved by the health officer. Septic tanks shall be maintained in sanitary working order.
- 4.3 No person shall construct, repair, alter, or enlarge any septic tank unless he shall hold a valid permit for such work issued by the health officer. The health officer may withhold the issuance of such a permit pending the inspection and approval by the health officer of the site and location of the proposed work. Before any septic tank or any part thereof may be covered after it has been constructed, repaired, altered, or enlarged, it shall be inspected and approved by the health officer.
- 4.4 The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Human Resources of the State of Georgia. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- 4.5 No septic tank or other subsurface disposal facility shall be installed where a public sewer is accessible to the premises involved, nor in any place where the health officer deems the use of same to be a menace to human health or well being.

- 4.6 At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within thirty (30) days after notice. Any septic tanks, cesspools, and similar private wastewater disposal facilities shall then be cleaned of sludge and filled with suitable material.
- 4.7 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the (Municipality).
- 4.8 No subsurface disposal facilities shall be installed in any place where the health officer deems the use of such facilities to be a menace to human health or well being.
- 4.9 Every flush toilet shall be connected to a public sewer where available or to a septic tank. Flush toilets shall be provided at all times with sufficient running water under pressure to flush the toilet clean after each use.
- 4.10 No pit privy shall be installed in the following locations:
- a. Where a public sewer is accessible to the premises involved; or,
 - b. In areas where the health officer deems the use of pit privies to constitute a nuisance or menace to the public health; or,
 - c. Where a pit privy may pollute any water supply; or,
 - d. Where the use of pit privies is not in keeping with the standard of sanitation in adjacent areas.
- 4.11 Discharge of septic tanks in sewer system.
- a. Restricted. It shall be unlawful to empty, dump, throw or otherwise discharge, into any manhole, catch basin or other opening, into the (Municipality) sewer system, or any system connected with and discharging into the sewer system, the contents of any septic tank, sludge, sewage, or other similar matter or material, except as provided in Subsection "b" hereof.
 - b. Permits. The Superintendent is hereby authorized to grant permits to discharge the contents of septic tanks at locations specified by the Superintendent and under his supervision. Such permits may be revoked at any time if, in the opinion of the Superintendent, continued dumping of such matter into the sewers will be injurious to the sewer system or treatment process.
 - c. Charges. A charge shall be made for the privilege of dumping the contents of septic tanks, as provided in separate rules. A record shall be kept of such

dumpings and statements rendered at the first of each month, the amount of such statements shall be payable within ten (10) days after rendition. Failure to pay the amounts due within such 10-day period shall be cause for revoking the permit.

- 4.12 Any premise that has a septic tank, privy, or any other sewage, industrial waste, or liquid waste disposal system, located thereon that does not function in a sanitary manner shall be corrected within thirty (30) days from the receipt of written notification from the health officer and said system is not functioning in a sanitary manner, and order that said system be corrected.
- 4.13 Premises with private water systems shall not be connected with the public sewerage system.
- 4.14 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer.

ARTICLE 5

BUILDING SEWERS AND CONNECTION

- 5.1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the (Municipality).
- 5.2 The owner or his agent shall make application on a special form furnished by the (Municipality). The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee as specified elsewhere shall be paid at the time the application is filed.
- 5.3 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the (Municipality) from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- 5.4 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may be extended to the rear building and the whole considered as one building, but the (Municipality) does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

- 5.5 Old buildings sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.
- 5.6 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in construction shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the county. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply.

Additionally, the following materials and methods shall apply to building sewers within (Municipality) supervision:

- a. The building sewer shall be cast iron soil pipe, ASTM Specification A74, latest revision, or equal; ductile iron pipe, American National Standards Institute (ANSI) Specification A21.51, latest revision, or equal; or polyvinyl chloride (PVC) sewer pipe, ASTM Specification D3034, latest revision. All joints shall be tight and waterproof.

Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron soil pipe or ductile iron pipe with bolted mechanical joints may be required by the Superintendent where the sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that plastic pipe may be acceptable if laid on a suitable concrete bed or cradle as approved by the Superintendent.

- b. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot. Furthermore, the appropriate requirements of the Occupational Health and Safety Act (OSHA) shall be followed.

- c. The depth shall be sufficient to afford protection from frost, and the building sewer shall be laid at uniform grade and with straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Building sewers shall not be placed in the same trench with water service lines.

- d. An excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM Specification C12, latest revision, except that no backfill shall be placed until the work has been inspected and approved.

- e. All joints and connections shall be made gastight and watertight.

Push-on joints for cast iron soil pipe shall have neoprene gaskets in accordance with the requirements of ASTM C-564.

Push-on joints for ductile iron pipe shall also have neoprene gaskets and be installed according to the manufacturer's recommendations.

PVC pipe joint material shall be of the bell and spigot type, sealed with a rubber "O"-ring gasket, having a composition and texture which is resistant to the common ingredients of sewage, industrial wastes (including oils), and groundwater, and which will endure permanently under the conditions likely to be imposed by this use. Installation of gasket shall be done in accordance with the pipe manufacturer's instructions using

all the necessary materials, lubricants,
manufacturer.

and equipment recommended by the

Other jointing materials may be used only when approved by the Superintendent.

- f. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such a branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the (Municipality) shall, at the owner's expense, cut a neat hole into the public sewer, with entry in the downstream direction at an angle of about forty-five (45) degrees, and install a forty-five (45) degree elbow with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at an elevation of at least one-tenth (0.1) foot above the invert of the public sewer. A neat smooth joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent.

- 5.7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall which might thereby be weakened. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

- 5.8 No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary

sewer unless such connection is approved for purposes of disposal of polluted surface drainage.

- 5.9 The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Superintendent or his representative.
- 5.10 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the (Municipality).
- 5.11 (Municipality) will define the availability of sewers and any costs associated with sewer permits or construction.
- 5.12 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the (Municipality) or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- 5.13 If any house sewer permits the entrance of infiltration or inflow, the (Municipality) may:
- a. Require the owner to repair the house sewer.
 - b. Charge the owner a sewer rate that reflects the costs of the additional expense of sewage treatment from the owner's property.
 - c. Require the owner to disconnect his sewer from the (Municipality) sewer system.

ARTICLE 6

RESTRICTED USE OF THE PUBLIC SEWERS

- 6.1 No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, or subsurface drainage to any sanitary sewer.
- 6.2 No person shall discharge or cause to be discharged any sanitary wastewater into a storm sewer system.

6.3 No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

- a. Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plants.
- c. Any waters or wastes having a pH lower than 5.5 or greater than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

6.4 The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the (Municipality) are as follows:

- a. Wastewater having a temperature higher than 150°F (65°C) or wastewater which will elevate the temperature of the influent to the publicly owned treatment works (POTW) to 104°F (40°C) or higher.
- b. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- c. Wastewater containing more than 100 milligrams per liter of oils, fat, grease, or wax, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32°F (0°C) and 150°F (65°C).

- d. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- e. All industrial discharges to the (Municipality) sewer system must comply with the Federal Industrial Pretreatment Standards (40 CFR Part 403) and Industrial Pretreatment Standards developed by the Georgia
those Environmental Protection Division.
- f. Any waters or wastes containing taste- or odor- producing substances exceeding limits which may be established by the (Municipality).
- g. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established in compliance with applicable state or federal regulations.
- h. Quantities of flow, concentrations, or both which constitute a "slug" as defined in Section 2.27.
- i. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- j. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form solids which interfere with the collection system, or create a condition deleterious to structures and treatment process.
- k. Materials which exert or cause:
- dissolved sulfate).
- (1) Any unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD (above 300mg/l), chemical oxygen demand, or chlorine demand in such quantities as to constitute a significant load on the sewage treatment plants.

6.5 If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated above and which in the judgment of the (Municipality), may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the (Municipality) may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers,
- c. Require control over the quantities and rates of discharge, and/or
- d. Require surcharge payment to cover added cost of handling and treating the wastes.

6.6 Grease, oil, and sand interceptors shall be provided when, in the opinion of the (Municipality), they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the (Superintendent) and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the (Superintendent). Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

6.7 When required by (Municipality) the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with approved plans. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. This requirement will be on a case-by-case basis.

6.8 The industrial users may be required to provide information needed to determine compliance with this ordinance. These requirements may include:

- a. Wastewater discharge peak rate and volume over a specified time period;
- b. Chemical analyses of wastewaters;

- c. Information on raw materials, processes, and products affecting wastewater volume and quality;
- d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
- e. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
- f. Details of wastewater pretreatment facilities; and
- g. Details of systems to prevent and control the losses of materials through spills to the public sewer.

6.9 No statement contained in this article shall be construed as preventing any special agreement or arrangement between the (Municipality) and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the (Municipality) for treatment.

6.10 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location times, durations, and frequencies are to be determined on an individual basis, subject to approval by the (Municipality).

6.11 Pretreatment of Wastes

Persons discharging industrial wastes into the sewerage system may be required to pretreat such wastes. Plans for all pretreatment facilities shall be approved by the Superintendent or the Georgia Environmental Protection Division prior to construction. At the time written plans are submitted for approval, written maintenance plans shall also be submitted and approved by the Superintendent. The facilities shall be allowed to operate only as long as they are maintained in accordance with the approved maintenance plans. Pretreatment requirements shall be determined on a case-by-case basis and shall include the following facilities as a minimum:

- a. Neutralization- If plans are submitted for the neutralization of strong acid or alkaline wastes, the plans shall include the necessary instrumentation and controls to assure compliance with the above regulations at all times.
- b. Equalization- Holding tanks or equalization basins shall be required ahead of the receiving manhole of the (Municipality) sewerage system when deemed

necessary by the Superintendent to prevent peak flows that exceed the capacity of the system or that result in operational problems.

- c. All pretreatment facilities shall be operated and maintained continuously in satisfactory and effective operation by the owner at his expense.

6.12 Waiver of Requirements- There shall be no provision for the granting of variances for discharge of incompatible wastes. If a user begins to violate any of the provision of Article 6, it shall be his responsibility to apply to the (Superintendent) who can issue a temporary permit along with a compliance schedule for planning and construction of necessary treatment or pretreatment works. Each case will be carefully evaluated with respect to its effect on the wastewater treatment system and the environment prior to issuance of a temporary permit and compliance schedule.

Any dilution of the wastewater by the user for the purpose of decreasing the concentration of toxic materials shall be considered as a violation of this ordinance.

6.13 Discontinuance of Service for Failure to Comply- Failure to comply with the provisions of the Sewer Use Ordinance shall be cause for the discontinuance of sewer or water service to the offending person. The procedure shall be as follow: A written notice, signed by the Superintendent, shall be delivered personally to the person then responsible for the offending use, outlining the conditions of the wastes which violate the (Municipality) ordinances. In the event that the person in charge will not accept the notice, it shall be conveyed by registered mail to the responsible person. The person notified shall have twenty-four (24) hours from the time of receipt of the notice, either personally delivered or received by registered mail, to correct the offending conditions. If correction is not made or a request for extension is not received by the (Municipality) within twenty-four (24) hours, it shall be mandatory that water or sewer service shall be discontinued to the offending person without further notice. If a request for an extension of time is received by the (Municipality) within twenty-four (24) hours of the above notice and if circumstances are such that, in the opinion of the (Superintendent), the best interest of the (Municipality) would be served by extending the time for correction of the offending condition, then he may grant an extension of time up to a maximum limit of thirty (30) days.

6.14 Responsibilities of the Person Discharging Waste- It shall be the responsibility of the person discharging industrial waste into the (Municipality) sewerage system to:

- a. Build a control structure in the discharge line for his premises, immediately prior to the entrance of the discharge line into the (Municipality) sewerage system, suitable for the sampling and measuring of wastes. Plans for this structure must be approved by the (Municipality). This requirement may be waived if deemed unnecessary the by the (Municipality).

In the event that no special manhole is required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

- b. Contact the Superintendent prior to operation changes which will materially alter the characteristics of the waste from the last prior sampling.
- c. Make timely, periodic payments to the (Municipality) of surcharges for excessive loadings as detailed in the (Municipality) User Charge System.

ARTICLE 7

MALICIOUS DAMAGE

- 7.1 No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure appurtenance, or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE 8

POWERS AND AUTHORITY OF INSPECTORS

- 8.1 Duly authorized employees or agents of the (Municipality) bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the public sewerage system in accordance with the provision of this ordinance.
- 8.2 While performing the necessary work on private properties referred to herein, the authorized employees or agents of the (Municipality) shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the employees, and the (Municipality) shall indemnify the company against loss or damage to its property by said employees or agents and against liability claims and demands for personal injury or property damage asserted against the company, except as such may be caused by negligence or failure of the company to maintain safe conditions as required by this ordinance.
- 8.3 Duly authorized employees or agents of (Municipality) bearing proper credentials and identification shall be permitted to enter all private properties through which the (Municipality) holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE 9

COMPLIANCE WITH REGULATORY REQUIREMENTS

- 9.1 The provisions of this ordinance shall not be deemed as alleviating compliance with applicable state and federal regulations. Specific user charge and industrial cost recovery requirements, promulgated pursuant to Public Law 92-500, shall be considered as a part of this ordinance upon official adoption. All nonresidential users will be required to comply with pretreatment standards as outlined in Title 40 of the Code of Federal Regulations, Part 403.

ARTICLE 10

VIOLATIONS

- 10.1 Violations of this ordinance shall be a misdemeanor punishable under the laws of the State of Georgia. Each day of continuing violation shall be considered a separate offense. Any person violating any of the provisions of this ordinance shall become liable to the (Municipality) for any expense, loss, or damage occasioned the (Municipality) by reason of violation.
- 10.2 In the event of violation of this ordinance, the health officer or authorized employees may verbally instruct the owner as to the necessary corrective action. If the owner fails to carry out verbal instructions in a timely manner or if a serious violation or hazard to public health exists, the health officer or (Municipality) may issue to the owner a written order stating the nature of the violation, the corrective action, and the time limit for completing the corrective action. The record of the mailing of said notice or order shall be prima facie evidence thereof and failure of said owner or owners to receive same shall in no way affect the validity of any proceedings conducted pursuant to this ordinance.
- 10.3 Failure to comply with any written order duly issued by the health officer or (Municipality) pursuant to this ordinance will constitute a separate misdemeanor and upon conviction thereof shall be punishable as provided by the laws of the state. Provided further, that compliance with this ordinance is required notwithstanding the fact that a written order might not have been issued.
- 10.4 The violation of any provisions of this ordinance, as now existing or as may be hereafter amended, may be enjoined by instituting appropriate proceedings for injunction in the courts of competent jurisdiction in this state. Any public nuisance which is injurious to the public health, safety, or comfort may be abated by instituting appropriate proceedings for injunction in the court of competent jurisdiction in this state. Such actions may be maintained notwithstanding the fact that such violation also constitutes a crime, and notwithstanding that other

adequate remedies at law exist. Such actions may be instituted in the name of the (Municipality).

10.5 Upon the receipt of a notice of a violation of this ordinance and/or an order of the (Municipality) requiring an act or thing to be done or to cease, the owner or owners of any premises then in question may, in writing, demand a hearing before the (Municipality) to present the evidence challenging the validity of the (Municipality's) order. The owner may appear in person, by agent, or by attorney. Said demand must be filed with the Clerk of the (Municipality) and be made within five (5) days from the receipt of the order being challenged. Upon receipt of a demand for a hearing, the (Municipality) will set a date, time, and place for said hearing to be not less than twenty-one (21) days from the date of filing of said demand.

The hearing as provided herein shall apply to any customer's complaint, dispute, or challenge of the (Municipality's) rules, regulations, resolutions, ordinances, or policies. Upon customer's written complaint filed with the clerk, the Municipality shall set a hearing as provided herein or at a time agreed upon by the parties.

10.6 Evidence before the (Municipality) of any hearing conducted pursuant to Section 9.5 herein shall be admitted in accordance with the rules of evidence of the superior courts of the state; provided, however, the (Municipality) may take official notice of any order, rule, regulation, or any other document, record, or entry contained in its official record or minutes for evidentiary purposes.

10.7 For the purposes of this ordinance, the decisions of the (Municipality) will prevail in any instance in which there is a conflict between it and the health officer on any issue of sanitation, or the lack of it, and its effect on human health or well being.

ARTICLE 11

SERVICE CHARGES

11.1 It is hereby determined necessary to fix and collect sewer service charges from customers. Such charges shall be published separate from this ordinance and the revenue received shall be used for operation, maintenance, debt retirement, and other authorized expenses.

ARTICLE 12

AUTHORITY TO DISCONNECT SERVICE

12.1 The (Municipality) reserves the right to terminate water and wastewater disposal services and disconnect a customer from the system when: